

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

#8 DAC
PATENT
Atty. Docket No.: 080142-000000US
Client Ref. No.: 80021-131

On July 21, 2004
TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

RECEIVED

JUL 28 2004

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Celler et al.

Application No.: 09/435,458

Filed: November 5, 1999

For: METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES

Customer No.: 20350

Confirmation No. 5246

Examiner: Not yet assigned

Technology Center/Art Unit: Not yet assigned

PETITION UNDER 37 C.F.R. § 1.137(b)
TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Notice of Abandonment Under 37 C.F.R. 1.53(f) or (g) mailed July 8, 2004, for the above-referenced application. Applicants petition to revive the application under 37 C.F.R. 1.137(b). The application was unintentionally abandoned because of Applicants' inadvertent failure to provide a fully-executed Declaration.

Applicants received a Notice to File Missing Parts of Application, mailed December 6, 1999. On February 7, 2000, applicants responded by filing the executed Declaration of the inventors, Anna Malgorzata Celler, Troy Howard Farncombe, Dominikus Rudolf Noll, and Jean



09435458

07/27/2004 HRL111 00000021 201430

01 FC:2453

665.00 DA

Application No.: 09/435,458

PATENT
Attorney Docket No.: 080142-000000US
Client Ref. No.: 80021-131


Maeght, a copy of which is attached hereto for the convenience of the Office. The Notice of Abandonment states that the Declaration did not include the signatures of two of the inventors, Anna Malgorzata Celler and Troy Howard Farncombe. Applicants submit herewith the executed Declaration of all the inventors including Celler and Farncombe. The Declaration was signed by the inventors on February 1, 2000 by Celler and Farncombe, and on January 26, 2000 by Noll and Maeght.

The requisite copy of the Notice of Abandonment is also attached hereto. The Notice of Abandonment was the first formal notification that signatures were missing despite the filing of a Status Request on December 2, 2002 and a Notice dated December 17, 2002 that the application would be examined in 0 to 3 months.

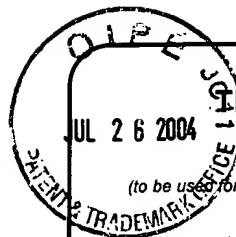
The entire delay in filing the required reply until the filing of this petition was unintentional. Please deduct the petition fee, pursuant to 37 CFR § 1.17(m) from Deposit Account No. 20-1430 of the undersigned in accordance with the Fee Transmittal SB/17 included with these documents. Please charge any additional fees or credit overpayment to the above-mentioned Deposit Account. This Petition, and the SB/17 Fee Transmittal, are submitted in duplicate.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Paul W. Vapnek
Reg. No. 24,185

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
PWV:dk:ama 60263469.v1



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/435,458
 Filing Date November 5, 1999
 First Named Inventor Celler, Anna M.
 Art Unit 2721
 Examiner Name
 Attorney Docket Number 080142-000000US

RECEIVED

JUL 28 2004

Total Number of Pages in This Submission

OFFICE OF PETITIONS

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input checked="" type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Copy of Notice of Abandonment; Signed Declarations of Inventors; Return Postcard |
|---|---|---|

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	
	Paul W. Vaprek	Reg. No. 24,185
Signature	<i>Paul W. Vaprek</i>	
Date	July 21, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Petitions Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Anna Marie Arante		
Signature	<i>Anna Marie Arante</i>	Date	July 21, 2004

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 665

Complete if Known

Application Number 09/435,458
 Filing Date November 5, 1999
 First Named Inventor Celler, Anna M.
 Examiner Name
 Art Unit 2721
 Attorney Docket No. 080142-000000US

RECEIVED

JUL 28 2004

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent Claims		** =		X		
Multiple Dependent		** =		X		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	665
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)665

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Paul W. Vapnek Registration No. (Attorney/Agent) 24,185 Telephone 415-576-0200

Signature

Date

July 21, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(c) AND 1.27 (b)) - INDEPENDENT INVENTOR**

Docket No.
80142-0(80021-131)

Serial No.

09/435,458

Filing Date

November 5, 1999

Patent No.

Issue Date

Applicant/ Patentee: Anna Margaret Celler; Dominikus Rudolf Noll; Troy Howard Farncombe; Jean Maeght

Invention: **METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:

- ☐ the specification to be filed herewith.
☒ the application identified above.
☐ the patent identified above.

COPY

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern or organization exists.
☒ Each such person, concern or organization is listed below.

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME The University of British Columbia

ADDRESS 2075 Wesbrook Mall, Vancouver, British Columbia, Canada V6T 1Z1
☐ Individual

☐ Small Business Concern

☒ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Anna Malgorzata Celler

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR Dominikus Rudolf NollSIGNATURE OF INVENTOR D.R. NollDATE: 26/01/2000NAME OF INVENTOR Troy Howard Farncombe

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR Jean MaeghtSIGNATURE OF INVENTOR J MaeghtDATE: 26 January 2000

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

SEND CORRESPONDENCE TO:

Paul. W. Vapnek, Reg. No. 24,185
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834

DIRECT TELEPHONE CALLS TO:

Paul. W. Vapnek, Reg. No. 24,185
(415) 576-0200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor No. 1

Full Name:

Anna Malgorzata Celler

Signature:

date:

Residence address:

1529 Burrill Avenue, North Vancouver, British Columbia, V7K 1L8,
Canada

Citizenship:

Canadian

Post Office address:

As aboveInventor No. 2

Full Name:

Dominikus Rudolf Noll

Signature:

date:

26/01/2000

Residence address:

29, hameau de Doumenjou, 31650 Lauzerville, France

Citizenship:

German

Post Office address:

As above

Inventor No. 3

Full Name:

Troy Howard Farncombe

Signature:

date:

Residence address:

205 - 1450 Chestnut Street, Vancouver, British Columbia, V6J 3K3
Canada

Citizenship:

Canadian

Post Office address:

As above**Inventor No. 4**

Full Name:

Jean Maeght

Signature:

date: 26 Jan 2000

Residence address:

14 boulevard Monplaisir, Toulouse 31400, France

Citizenship:

French

Post Office address:

As above



COPY

RETURN TO THE U.S. PATENT & TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s) and return this card to us:

RE: CELLER, ET AL.

TITLE OF DOCUMENT(S):

RESPONSE TO NOTICE TO FILE MISSING PARTS
REQUEST FOR CORRECTED FILING RECEIPT
SMALL ENTITY STATEMENTS (2)
DECLARATION AND POWER OF ATTORNEY



Application No. 09/435,458

File No. 80142-0

Date Due February 6, 2000 (Sunday)

Date Mailed February 7, 2000

Atty/Secty. PWV:bj

Amendment

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

In re application of: Celler et al.

Application No.: 09/435,458

Filed: 11/05/99

Group Art Unit: 2721

For: METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



Attorney Docket No. 80142-000000US
Client Ref No. 80021-131

Date: February 7, 2000

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Signed: *Paul W. Vapnek*

COPY

Sir:

Transmitted herewith is a response to Notice of File Missing Parts of Application.

- ☒ Enclosed is a request for corrected filing receipt..
- ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ Declaration and Power of Attorney

If any extension of time is needed, then this response should be considered a petition therefor.

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL * 40	MINUS	** 20	= 20
INDEP. * 8	MINUS	*** 3	= 5
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

Surcharge

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE		RATE	ADDIT. FEE
x \$9.00 =	\$180.00		x \$18.00 =	\$0.00
x \$39.00 =	\$165.00		x \$78.00 =	\$0.00
+ \$130.00 =			+ \$260.00 =	
	\$65.00			
TOTAL ADDIT. FEE	\$410.00	OR	TOTAL	\$0.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please charge Deposit Account No. 20-1430 as follows:

- ☒ Claims fee \$ \$410.00
- ☒ Any additional fees associated with this paper or during the pendency of this application.

2 extra copies of this sheet are enclosed.

TOWNSEND and TOWNSEND and CREW LLP

Paul W. Vapnek
Paul W. Vapnek, Reg. No.: 24,185
Attorneys for Applicant



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

20142
CEKilger

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/435,458 11/05/99 CELLER

A 80142US

0212/1206

PAUL W. VAPNEK
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO CA 94111-3834

NOT ASSIGNED

DATE MAILED: 2721

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

12/06/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$1,640.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$750.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$360.00 for 20 total claims over 20. 180.
\$390.00 for 5 independent claims over 3. 165.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.



PATENT
ATTORNEY DOCKET NO. 80142-0

Date: February 7, 2000

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents
Washington, D.C. 20231

Signed: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CELLER et al.

Serial No. 09/435,458

Filed: November 5, 1999

For: **METHOD AND APPARATUS FOR
PRODUCING A REPRESENTATION OF
A MEASURABLE PROPERTY WHICH
VARIES IN TIME AND SPACE, FOR
PRODUCING AN IMAGE REPRESENTING
CHANGES IN RADIO-ACTIVITY IN AN
OBJECT AND FOR ANALYZING
TOMOGRAPHY SCAN IMAGES**

TM Attorney: Not assigned

Group Art Unit 2721

REQUEST FOR CORRECTED FILING
RECEIPT

Box Missing Parts
Commissioner for Patents
Washington, DC

Dear Sir or Ms.:

Enclosed is a copy of the Filing Receipt in connection with the above-identified application. Please note the misspelling of the applicant's name. It should be Anna Malgorzata

///

///

Celler (not Malogorzata). Also a word in the title is misspelled, i.e., measureable should be measurable. Please issued a corrected filing receipt.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

Dated: February 7, 2000

By: 

Paul W. Vapnek

Attorneys for Applicant

Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Facsimile: (415) 576-0300
SF 1065321 v1

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(e) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.
80142-0(80021-131)

Serial No.
09/435,458

Filing Date
November 5, 1999

Patent No.

Issue Date

Applicant/ Patentee: Anna Malgorzata Celler; Dominikus Rudolf Noll; Troy Howard Farncombe; Jean Maeght

Invention: **METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The University of British Columbia

ADDRESS OF ORGANIZATION: 2075 Wesbrook Mall

Vancouver, British Columbia

Canada

V6T 1Z1

TYPE OF NONPROFIT ORGANIZATION:

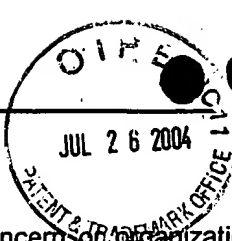
- ☒ University or other Institute of Higher Education
- ☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America
Name of State: _____ Citation of Statute: _____
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America
Name of State: _____ Citation of Statute: _____

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification to be filed herewith.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).



Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Angus Livingstone

NAME OF PERSON SIGNING:

Managing Director

TITLE IN ORGANIZATION:

University - Industry Liaison Office

ADDRESS OF PERSON SIGNING:

IRC Room 331, 2194 Health Sciences Mall, Vancouver, British Columbia,
V6T 1Z3

SIGNATURE:

DATE: **JAN 25 2000**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (b) AND 1.27 (b)) - INDEPENDENT INVENTOR**

Docket No.
80142-0(80021-131)

Serial No.

09/435,458

Filing Date

November 5, 1999

Patent No.

Issue Date

Applicant/ Anna Margot Zeller; Dominikus Rudolf Noll; Troy Howard Farncombe; Jean Maeght
Patentee:

Invention: **METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:

- ☐ the specification to be filed herewith.
☒ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern or organization exists.
☒ Each such person, concern or organization is listed below.

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME The University of British Columbia

ADDRESS 2075 Wesbrook Mall, Vancouver, British Columbia, Canada V6T 1Z1

☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Anna Malgorzata Celler

SIGNATURE OF INVENTOR Anna Celler

DATE: 1 Feb 2000

NAME OF INVENTOR Dominikus Rudolf Noll

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR Troy Howard Farncombe

SIGNATURE OF INVENTOR Troy Farncombe

DATE: Feb. 1/00

NAME OF INVENTOR Jean Maeght

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____

NAME OF INVENTOR _____

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DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____

DATE: _____



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/435,458	02/15/2000	Anna Malgorzata Celler	80142US

CONFIRMATION NO. 5246

PAUL W VAPNEK
 TOWNSEND AND TOWNSEND AND CREW LLP
 TWO EMBARCADERO CENTER
 8TH FLOOR
 SAN FRANCISCO, CA 941113834

COPY

ABANDONMENT/TERMINATION
LETTER

OC000000013172610

Date Mailed: 07/08/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/06/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 12-6-99.

Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

2 inv. signatures are missing -
A. Cellar and T. Farncombe
did not sign the declaration